

1-1 By: Estes S.B. No. 1877
1-2 (In the Senate - Filed April 5, 2013; April 8, 2013, read
1-3 first time and referred to Committee on Intergovernmental
1-4 Relations; April 29, 2013, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 5, Nays 0;
1-6 April 29, 2013, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	<u>Hinojosa</u>	X		
1-10	<u>Nichols</u>	X		
1-11	<u>Garcia</u>	X		
1-12	<u>Paxton</u>	X		
1-13	<u>Taylor</u>	X		

1-14 COMMITTEE SUBSTITUTE FOR S.B. No. 1877 By: Nichols

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to the creation of the Venable Ranch Municipal Utility
1-18 District No. 1 of Denton County; granting a limited power of eminent
1-19 domain; providing authority to issue bonds; providing authority to
1-20 impose assessments, fees, or taxes.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-22 SECTION 1. Subtitle F, Title 6, Special District Local Laws
1-23 Code, is amended by adding Chapter 8469 to read as follows:

1-24 CHAPTER 8469. VENABLE RANCH MUNICIPAL UTILITY DISTRICT NO. 1 OF
1-25 DENTON COUNTY

1-26 SUBCHAPTER A. GENERAL PROVISIONS

1-27 Sec. 8469.001. DEFINITIONS. In this chapter:

1-28 (1) "Board" means the district's board of directors.

1-29 (2) "City" means the City of Aubrey, Texas.

1-30 (3) "Commission" means the Texas Commission on
1-31 Environmental Quality.

1-32 (4) "Director" means a board member.

1-33 (5) "District" means the Venable Ranch Municipal
1-34 Utility District No. 1 of Denton County.

1-35 Sec. 8469.002. NATURE OF DISTRICT. The district is a
1-36 municipal utility district created under Section 59, Article XVI,
1-37 Texas Constitution.

1-38 Sec. 8469.003. CONFIRMATION AND DIRECTORS' ELECTION
1-39 REQUIRED. The temporary directors shall hold an election to
1-40 confirm the creation of the district and to elect five permanent
1-41 directors as provided by Section 49.102, Water Code.

1-42 Sec. 8469.004. CONSENT OF CITY REQUIRED. The temporary
1-43 directors may not hold an election under Section 8469.003 until:

1-44 (1) the city has consented by ordinance or resolution
1-45 to the creation of the district and to the inclusion of land in the
1-46 district; and

1-47 (2) the city and an owner or owners of land in the
1-48 district have entered into a development agreement under Section
1-49 212.172, Local Government Code.

1-50 Sec. 8469.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.
1-51 (a) The district is created to serve a public purpose and benefit.

1-52 (b) The district is created to accomplish the purposes of:

1-53 (1) a municipal utility district as provided by
1-54 general law and Section 59, Article XVI, Texas Constitution; and

1-55 (2) Section 52, Article III, Texas Constitution, that
1-56 relate to the construction, acquisition, improvement, operation,
1-57 or maintenance of macadamized, graveled, or paved roads, or
1-58 improvements, including storm drainage, in aid of those roads.

1-59 Sec. 8469.006. INITIAL DISTRICT TERRITORY. (a) The
1-60 district is initially composed of the territory described by

2-1 Section 2 of the Act enacting this chapter.
 2-2 (b) The boundaries and field notes contained in Section 2 of
 2-3 the Act enacting this chapter form a closure. A mistake made in the
 2-4 field notes or in copying the field notes in the legislative process
 2-5 does not affect the district's:
 2-6 (1) organization, existence, or validity;
 2-7 (2) right to issue any type of bond for the purposes
 2-8 for which the district is created or to pay the principal of and
 2-9 interest on a bond;
 2-10 (3) right to impose a tax; or
 2-11 (4) legality or operation.

2-12 SUBCHAPTER B. BOARD OF DIRECTORS

2-13 Sec. 8469.051. GOVERNING BODY; TERMS. (a) The district is
2-14 governed by a board of five elected directors.

2-15 (b) Except as provided by Section 8469.052, directors serve
2-16 staggered four-year terms.

2-17 Sec. 8469.052. TEMPORARY DIRECTORS. (a) On or after
2-18 September 1, 2013, the owner or owners of a majority of the assessed
2-19 value of the real property in the district may submit a petition to
2-20 the commission requesting that the commission appoint as temporary
2-21 directors the five persons named in the petition. The commission
2-22 shall appoint as temporary directors the five persons named in the
2-23 petition.

2-24 (b) Temporary directors serve until the earlier of:

- 2-25 (1) the date permanent directors are elected under
- 2-26 Section 8469.003; or
- 2-27 (2) September 1, 2017.

2-28 (c) If permanent directors have not been elected under
2-29 Section 8469.003 and the terms of the temporary directors have
2-30 expired, successor temporary directors shall be appointed or
2-31 reappointed as provided by Subsection (d) to serve terms that
2-32 expire on the earlier of:

- 2-33 (1) the date permanent directors are elected under
- 2-34 Section 8469.003; or
- 2-35 (2) the fourth anniversary of the date of the
- 2-36 appointment or reappointment.

2-37 (d) If Subsection (c) applies, the owner or owners of a
2-38 majority of the assessed value of the real property in the district
2-39 may submit a petition to the commission requesting that the
2-40 commission appoint as successor temporary directors the five
2-41 persons named in the petition. The commission shall appoint as
2-42 successor temporary directors the five persons named in the
2-43 petition.

2-44 SUBCHAPTER C. POWERS AND DUTIES

2-45 Sec. 8469.101. GENERAL POWERS AND DUTIES. The district has
2-46 the powers and duties necessary to accomplish the purposes for
2-47 which the district is created.

2-48 Sec. 8469.102. MUNICIPAL UTILITY DISTRICT POWERS AND
2-49 DUTIES. The district has the powers and duties provided by the
2-50 general law of this state, including Chapters 49 and 54, Water Code,
2-51 applicable to municipal utility districts created under Section 59,
2-52 Article XVI, Texas Constitution.

2-53 Sec. 8469.103. AUTHORITY FOR ROAD PROJECTS. Under Section
2-54 52, Article III, Texas Constitution, the district may design,
2-55 acquire, construct, finance, issue bonds for, improve, operate,
2-56 maintain, and convey to this state, a county, or a municipality for
2-57 operation and maintenance macadamized, graveled, or paved roads, or
2-58 improvements, including storm drainage, in aid of those roads.

2-59 Sec. 8469.104. ROAD STANDARDS AND REQUIREMENTS. (a) A
2-60 road project must meet all applicable construction standards,
2-61 zoning and subdivision requirements, and regulations of each
2-62 municipality in whose corporate limits or extraterritorial
2-63 jurisdiction the road project is located.

2-64 (b) If a road project is not located in the corporate limits
2-65 or extraterritorial jurisdiction of a municipality, the road
2-66 project must meet all applicable construction standards,
2-67 subdivision requirements, and regulations of each county in which
2-68 the road project is located.

2-69 (c) If the state will maintain and operate the road, the

3-1 Texas Transportation Commission must approve the plans and
3-2 specifications of the road project.
3-3 Sec. 8469.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE
3-4 OR RESOLUTION. The district shall comply with all applicable
3-5 requirements of any ordinance or resolution that is adopted under
3-6 Section 54.016 or 54.0165, Water Code, and that consents to the
3-7 creation of the district or to the inclusion of land in the
3-8 district.
3-9 Sec. 8469.106. DIVISION OF DISTRICT. (a) The district may
3-10 be divided into two or more new districts only if the district:
3-11 (1) has no outstanding bonded debt; and
3-12 (2) is not imposing ad valorem taxes.
3-13 (b) This chapter applies to any new district created by the
3-14 division of the district, and a new district has all the powers and
3-15 duties of the district.
3-16 (c) Any new district created by the division of the district
3-17 may not, at the time the new district is created, contain any land
3-18 outside the area described by Section 2 of the Act creating this
3-19 chapter.
3-20 (d) The board, on its own motion or on receipt of a petition
3-21 signed by the owner or owners of a majority of the assessed value of
3-22 the real property in the district, may adopt an order dividing the
3-23 district.
3-24 (e) The board may adopt an order dividing the district
3-25 before or after the date the board holds an election under Section
3-26 8469.151 to authorize the issuance of bonds.
3-27 (f) An order dividing the district must:
3-28 (1) name each new district;
3-29 (2) include the metes and bounds description of the
3-30 territory of each new district;
3-31 (3) appoint temporary directors for each new district;
3-32 and
3-33 (4) provide for the division of assets and liabilities
3-34 between or among the new districts.
3-35 (g) On or before the 30th day after the date of adoption of
3-36 an order dividing the district, the district shall file the order
3-37 with the commission and record the order in the real property
3-38 records of each county in which the district is located.
3-39 (h) Any new district created by the division of the district
3-40 shall hold a confirmation and directors' election as required by
3-41 Section 8469.003.
3-42 (i) Any new district created by the division of the district
3-43 must hold an election as required by this chapter to obtain voter
3-44 approval before the district may impose a maintenance tax or issue
3-45 bonds payable wholly or partly from ad valorem taxes.
3-46 (j) If the creation of the new district is confirmed, the
3-47 new district shall provide the election date and results to the
3-48 commission.
3-49 Sec. 8469.107. FIREFIGHTING SERVICES. Notwithstanding
3-50 Section 49.351(a), Water Code, the district may, as authorized by
3-51 Section 59(f), Article XVI, Texas Constitution, and Section 49.351,
3-52 Water Code:
3-53 (1) establish, operate, and maintain a fire
3-54 department;
3-55 (2) contract with another political subdivision for
3-56 the joint operation of a fire department; or
3-57 (3) contract with any other person to perform
3-58 firefighting services in the district and may issue bonds and
3-59 impose taxes to pay for the department and the activities.
3-60 Sec. 8469.108. FEES AND CHARGES. (a) The district may
3-61 adopt and enforce all necessary charges, mandatory fees, or
3-62 rentals, in addition to taxes, for providing or making available
3-63 any district facility or service, including firefighting
3-64 activities provided under Section 8469.107.
3-65 (b) To enforce payment of an unpaid fee or charge due to the
3-66 district, on the request of the district, a retail public utility,
3-67 as defined by Section 13.002, Water Code, providing water or sewer
3-68 service to a customer in the district shall terminate the service.
3-

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 8469.151. ELECTIONS REGARDING TAXES OR BONDS.

(a) The district may issue, without an election, bonds and other obligations secured by:

(1) revenue other than ad valorem taxes; or

(2) contract payments described by Section 8469.153.

(b) The district must hold an election in the manner provided by Chapters 49 and 54, Water Code, to obtain voter approval before the district may impose an ad valorem tax or issue bonds payable from ad valorem taxes.

(c) The district may not issue bonds payable from ad valorem taxes to finance a road project unless the issuance is approved by a vote of a two-thirds majority of the district voters voting at an election held for that purpose.

Sec. 8469.152. OPERATION AND MAINTENANCE TAX. (a) If authorized at an election held under Section 8469.151, the district may impose an operation and maintenance tax on taxable property in the district in accordance with Section 49.107, Water Code.

(b) The board shall determine the tax rate. The rate may not exceed the rate approved at the election.

Sec. 8469.153. CONTRACT TAXES. (a) In accordance with Section 49.108, Water Code, the district may impose a tax other than an operation and maintenance tax and use the revenue derived from the tax to make payments under a contract after the provisions of the contract have been approved by a majority of the district voters voting at an election held for that purpose.

(b) A contract approved by the district voters may contain a provision stating that the contract may be modified or amended by the board without further voter approval.

SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

Sec. 8469.201. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. The district may issue bonds or other obligations payable wholly or partly from ad valorem taxes, impact fees, revenue, contract payments, grants, or other district money, or any combination of those sources, to pay for any authorized district purpose.

Sec. 8469.202. TAXES FOR BONDS. At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of a continuing direct ad valorem tax, without limit as to rate or amount, while all or part of the bonds are outstanding as required and in the manner provided by Sections 54.601 and 54.602, Water Code.

Sec. 8469.203. BONDS FOR ROAD PROJECTS. At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district.

SUBCHAPTER F. ANNEXATION BY CITY

Sec. 8469.251. EFFECT OF ANNEXATION BY CITY.

(a) Notwithstanding any other law, if all of the territory of the district is annexed by the city into the corporate limits of the city before the date of the election held to confirm the creation of the district and the district is confirmed at that election, the district may not be dissolved and continues in existence following annexation until:

(1) water, sanitary sewer, and drainage improvements and roads have been constructed to serve at least 90 percent of the territory of the district capable of development; or

(2) the board adopts a resolution consenting to the dissolution of the district.

(b) Notwithstanding Section 54.016(f)(2), Water Code, an allocation agreement between the city and the district that provides for the allocation of the taxes or revenues of the district and the city following the date of inclusion of the district's territory in the corporate limits of the city may provide that the total annual ad valorem taxes collected by the city and the district from taxable property within the city's corporate limits may exceed the city's ad valorem tax on that property.

SECTION 2. The Venable Ranch Municipal Utility District

5-1 No. 1 of Denton County initially includes all the territory
5-2 contained in the following area:
5-3 VENABLE PROPERTY DESCRIPTION:
5-4 TRACT 1
5-5 Being a tract of land situated in the George Smith Survey, Abstract
5-6 No. 1219, the S. Williams Survey, Abstract No. 1333, the M. McBride
5-7 Survey, Abstract No. 804, the N. McMillan Survey, Abstract No. 841,
5-8 the J. Cantwell Survey, Abstract No. 282, the T. Chambers Survey,
5-9 Abstract No. 223, the J. Moses Survey, Abstract No. 894, the J.
5-10 Wells Survey, Abstract No. 1426, the J. Wilburn Survey, Abstract
5-11 No. 1427, and the W. Boydston Survey, Abstract No. 117, Denton
5-12 County, Texas and being all of the following tracts of land conveyed
5-13 to Venable Royalty, LTD.; a called 10.69 acre tract by deed recorded
5-14 in Volume 5128, Page 563 of the Real Property Records of Denton
5-15 County, Texas (R.P.R.D.C.T.); a called 11.00 acre tract by deed
5-16 recorded in Volume 5144, Page 2973, R.P.R.D.C.T.; a called a called
5-17 29.089 acre tract by deed recorded in Volume 4077, Page 1372,
5-18 R.P.R.D.C.T.; a called 27.20 acre tract by deed recorded in Volume
5-19 5076, Page 822, R.P.R.D.C.T. (50% interest); a called 54.08 acre
5-20 tract by deed recorded in Volume 4867, Page 3255, R.P.R.D.C.T.; a
5-21 called 7.000 acre tract, called Parcel One, Tract I, a called 0.228
5-22 acre tract, called Parcel One, Tract II, and a called 14.586 acre
5-23 tract, called Parcel Two by deed recorded in Volume 4506, Page 1340
5-24 of the Deed Records of Denton County, Texas (D.R.D.C.T.); all of
5-25 Lots 16 and 17 of Scenic Acres by deed recorded in Volume 4399, Page
5-26 1845, R.P.R.D.C.T., said Scenic Acres being an addition to Denton
5-27 County, Texas according to the plat recorded in Cabinet B, Page 379
5-28 of the Map Records of Denton County, Texas (M.R.D.C.T.); all of the
5-29 following tracts of land conveyed to Venable Estate, LTD.; a called
5-30 4.02 acre tract by deed recorded in Instrument No. 2008-41088 of the
5-31 Official Records of Denton County, Texas (O.R.D.C.T.); a called
5-32 27.20 acre tract by deed recorded in Instrument No. 2004-101157,
5-33 O.R.D.C.T. (50% interest); all of the following recorded in
5-34 Instrument No. 2005-43578, O.R.D.C.T.; of Exhibit "A-1"; a called
5-35 48.9 acre tract, called First Tract; a called 70 acre tract, called
5-36 Second Tract; a called 40 acre tract, called Third Tract; a called
5-37 30 acre tract, called Fourth Tract; a called 70.80 acre tract,
5-38 called Fifth Tract; a called 70.62 acre tract, called Sixth Tract; a
5-39 called 53.83 acre tract, called Seventh Tract; a called 88 acre
5-40 tract, called Eighth Tract; a called 40 acre tract, called Ninth
5-41 Tract; a called 40 acre tract, called Tenth Tract; a called 54 acre
5-42 tract, called Eleventh Tract; a called 63 acre tract, called
5-43 Twelfth Tract; a called 55 acre tract, called Thirteenth Tract; a
5-44 called 50 acre tract, called Fourteenth Tract; a called 3 acre
5-45 tract, called Fifteenth Tract; a called 6 acre tract, called
5-46 Sixteenth Tract; a called 100 acre tract, called Seventeenth Tract;
5-47 a called 58 acre tract, called Eighteenth Tract; a called 29.37 acre
5-48 tract, called Nineteenth Tract; the remainder of a called 20 acre
5-49 tract, called Twentieth Tract; a called 80 acre tract, called
5-50 Twenty-First Tract; a called 3.5 acre tract, called Twenty-Second
5-51 Tract; a called 114.8 acre tract, called Twenty-Third Tract; a
5-52 called 412 acre tract, called Twenty-Fourth Tract; a called 40 acre
5-53 tract, called Twenty-Fifth Tract; a called 40 acre tract, called
5-54 Twenty-Sixth Tract; a called 65.93 acre tract, called
5-55 Twenty-Seventh Tract; of Exhibit "A-2"; First Tract; Second Tract;
5-56 and a called 118.3 acre tract, called Third Tract; all of Exhibit
5-57 "A-3", called 24 acres; all of Exhibit "A-6", called 70 acres; of
5-58 Exhibit "A-7"; a called 63 acre tract, called First Tract; and a
5-59 called 80 acre tract, called Second Tract; and all of Exhibit "A-8",
5-60 called 54.089 acres, and being more particularly described as
5-61 follows:
5-62 BEGINNING at a 1/2 inch iron rod found for the northeast corner of
5-63 said Venable 10.69 acre tract, said corner being in the west line of
5-64 the Texas and Pacific Railway Company right-of-way (80 foot wide
5-65 right-of-way);
5-66 THENCE along the west line of said Texas and Pacific Railway Company
5-67 right-of-way the following courses and distances:
5-68 South 07°41'12" West, a distance of 3421.85 feet to the
5-69 beginning of a tangent curve to the right;

6-1 Southwesterly along said tangent curve to the right having a
6-2 central angle of 18°23'37", a radius of 5679.58 feet, a chord
6-3 bearing of South 16°53'01" West, a chord distance of 1815.49 feet,
6-4 and an arc length of 1823.31 feet to a point at the end of said
6-5 curve;

6-6 South 26°04'49" West, a distance of 3713.98 feet to the
6-7 southeast corner of said Venable Exhibit "A-1" Twenty-Fourth Tract,
6-8 said point being in the approximate centerline of Black Jack Road;
6-9 THENCE with the approximate centerline of Black Jack Road and along
6-10 the south lines of said Venable Exhibit "A-1" Twenty-Fourth Tract
6-11 and Twentieth Tract, the following courses and distances:

6-12 North 89°23'03" West, passing at a distance of 88.61 feet the
6-13 northeast corner of Quail Ridge Estates, an addition to the City of
6-14 Aubrey, Texas according to the plat recorded in Cabinet T, Page 40,
6-15 M.R.D.C.T., and continuing for a total distance of 1122.68 feet to
6-16 the most northerly northwest corner of said Quail Ridge Estates;

6-17 North 89°59'13" West, a distance of 2643.79 feet to the
6-18 northwest corner of a called 15.000 acre tract of land, called Tract
6-19 Eight, conveyed to Old south Royalty Company by deed recorded in
6-20 Volume 2138, Page 809, R.P.R.D.C.T. and the northeast corner of a
6-21 called 15.28 Acre tract of land conveyed to Robert A. Foster and
6-22 Etta J. Luongo, by deed recorded in Document No. 2007-88559,
6-23 O.R.D.C.T.;

6-24 South 89°49'29" West, passing at a distance of 39.40 feet a
6-25 mag nail found, and continuing for a total distance of 368.29 feet
6-26 to the southwest corner of said Venable Exhibit "A-1" Twentieth
6-27 Tract, said point being in the west line of Wilson Cemetery Road;
6-28 THENCE North 01°18'58" West, along the west line of said Venable
6-29 Exhibit "A-1" Twentieth Tract and the west line of said Wilson
6-30 Cemetery Road, passing at a distance of 8.98 feet a mag nail found
6-31 for the southeast corner of a called 25.196 acre tract of land
6-32 conveyed to Russell W. Streng and Truly W. Streng, by deed recorded
6-33 in Volume 4326, Page 1990, R.P.R.D.C.T., and continuing along said
6-34 west lines and the east line of said 25.196 acre tract for a total
6-35 distance of 224.04 feet to a point in a fence line at the southerly
6-36 corner of a called 0.100 acre tract of land conveyed to Russell W.
6-37 Streng and Truly W. Streng by deed recorded in Document No.
6-38 2012-53458, O.R.D.C.T.;

6-39 THENCE North 00°08'42" West, with said fence line along the west
6-40 line of said Wilson Cemetery Road, and along the east line of said
6-41 0.100 acre tract, a distance of 653.39 feet to the northeast corner
6-42 of said 0.100 acre tract and the southeast corner of a called 0.422
6-43 acre tract of land conveyed to Rodney Ivan Streng and Judith Ann
6-44 Streng, Trustees, or Their Successor Trustees Under The Rodney I.
6-45 Streng and Judith A. Streng Living Trust, by deed recorded in
6-46 Document No. 2012-53328, O.R.D.C.T.;

6-47 THENCE continuing along said fence line along the west line of said
6-48 Wilson Cemetery Road, and along the east line of said 0.422 acre
6-49 tract, the following courses and distances:

6-50 North 00°10'08" West, a distance of 816.15 feet to a point for
6-51 corner;

6-52 North 15°07'16" West, a distance of 23.99 feet to a point for
6-53 corner;

6-54 North 54°47'59" West, a distance of 29.83 feet to the most
6-55 northerly corner of said 0.422 acre tract, said point being in the
6-56 west line of said Venable Exhibit "A-1" Twentieth Tract and east
6-57 line of a called 25.196 acre tract of land conveyed to Rodney I.
6-58 Streng and Judith A. Streng Family Trust, by deed recorded in
6-59 Instrument Number 2010-59229, O.R.D.C.T.;

6-60 THENCE North 01°18'58" West, a distance of 12.03 feet to a mag nail
6-61 found for the northwest corner of said Venable Exhibit "A-1"
6-62 Twentieth Tract and the northeast corner of said Streng Family
6-63 Trust 25.196 acre tract, said corner being in the south line of said
6-64 Venable Exhibit "A-1" Eighth Tract;

6-65 THENCE North 89°45'07" West, with said Wilson Cemetery Road, and
6-66 along the south line of said Venable Exhibit "A-1" Eighth Tract and
6-67 the north line of said Streng Family Trust 25.196 acre tract, a
6-68 distance of 1254.71 feet to a 1/2 inch iron rod found for the
6-69 southwest corner of said Venable Exhibit "A-1" Eighth Tract and the

7-1 northwest corner of said Streng Family Trust 25.196 acre tract,
 7-2 said corner being in the east line of a called 5.30 acre tract of
 7-3 land, called Tract Three, conveyed to Cedars Development, Inc. by
 7-4 deed recorded in Instrument Number 2011-95252, O.R.D.C.T.;
 7-5 THENCE North 01°20'47" West, with said Wilson Cemetery Road, and
 7-6 along the west line of said Venable Exhibit "A-1" Eighth Tract and
 7-7 the east line of said 5.30 acre tract, a distance of 573.91 feet to a
 7-8 1/2 inch iron rod found for the northeast corner of said 5.30 acre
 7-9 tract and the southeast corner of said Venable Exhibit "A-1"
 7-10 Fourteenth Tract, said corner being at the intersection of Wilson
 7-11 Cemetery Road with Grubbs Road;
 7-12 THENCE North 88°33'37" West, with said Grubbs Road, and along the
 7-13 south lines of said Venable Exhibit "A-1" Fourteenth Tract and
 7-14 Fifteenth Tract, a distance of 1429.54 feet to a mag nail found for
 7-15 the southwest corner of said Venable Exhibit "A-1" Fifteenth Tract,
 7-16 and the southeast corner of a called 0.743 acre tract of land,
 7-17 called Tract One, conveyed to Old South Royalty Company by deed
 7-18 recorded in Volume 2138, Page 809, R.P.R.D.C.T.;
 7-19 THENCE North 00°16'29" East, along the west line of said Venable
 7-20 Exhibit "A-1" Fifteenth Tract and the east line of said 0.743 acre
 7-21 tract, passing at a distance of 1078.75 feet the northeast corner of
 7-22 said 0.743 acre tract and the most southerly southeast corner of a
 7-23 called 352.393 acre tract of land, called Tract Three, conveyed to
 7-24 Old South Royalty Company by deed recorded in Volume 2138, Page 809,
 7-25 R.P.R.D.C.T., and continuing along said west line and the east line
 7-26 of said 352.393 acre tract, for a total distance of 2079.16 feet to
 7-27 a 1/2 inch iron rod with plastic cap stamped "J E Smith 3700" found
 7-28 for the northwest corner of said Venable Exhibit "A-1" Fifteenth
 7-29 Tract and an ell corner of said 352.393 acre tract;
 7-30 THENCE South 89°57'36" East, along the north line of said Venable
 7-31 Exhibit "A-1" Fifteenth Tract and a south line of said 352.393 acre
 7-32 tract, a distance of 69.55 feet to a 1/2 inch iron rod with plastic
 7-33 cap stamped "J E Smith 3700" found for the northeast corner of said
 7-34 Venable Exhibit "A-1" Fifteenth Tract, the northwest corner of said
 7-35 Venable Exhibit "A-1" Fourteenth Tract, the southwest corner of
 7-36 said Venable Exhibit "A-1" Twelfth Tract, and the most easterly
 7-37 southeast corner of said 352.393 acre tract;
 7-38 THENCE North 00°07'55" West, along the west line of said Venable
 7-39 Exhibit "A-1" Twelfth Tract and the east line of said 352.393 acre
 7-40 tract, a distance of 1866.24 feet to a 1/2 inch iron rod with
 7-41 plastic cap stamped "J E Smith 3700" found for the northeast corner
 7-42 of said 352.393 acre tract and the southeast corner of said Venable
 7-43 Exhibit "A-1" Nineteenth Tract;
 7-44 THENCE along the south line of said Venable Exhibit "A-1"
 7-45 Nineteenth Tract and the north line of said 352.393 acre tract the
 7-46 following courses and distances:
 7-47 South 84°01'58" West, a distance of 569.60 feet to a point for
 7-48 corner;
 7-49 South 89°43'26" West, a distance of 841.22 feet to a 1/2 inch
 7-50 iron rod with plastic cap stamped "J E Smith 3700" found for the
 7-51 corner;
 7-52 South 51°33'10" West, a distance of 179.90 feet to a 1/2 inch
 7-53 iron rod with plastic cap stamped "J E Smith 3700" found for corner;
 7-54 South 87°42'24" West, a distance of 225.93 feet to a 1/2 inch
 7-55 iron rod with plastic cap stamped "J E Smith 3700" found for corner;
 7-56 South 62°36'29" West, a distance of 502.48 feet to a 1/2 inch
 7-57 iron rod with plastic cap stamped "J E Smith 3700" found the
 7-58 southwest corner of said Venable Exhibit "A-1" Nineteenth Tract and
 7-59 the southeast corner of said Venable Exhibit "A-1" Fifth Tract;
 7-60 THENCE North 89°55'15" West, continuing along the north line of said
 7-61 352.393 acre tract and the south lines of said Venable Exhibit "A-1"
 7-62 Fifth Tract and Seventh Tract, passing at a distance of 4118.63 feet
 7-63 a Corps. of Engineers concrete monument with brass disk found for
 7-64 the northeast corner of Tract No. 2512E, conveyed to the United
 7-65 States of America by deed recorded in County Clerk's File No.
 7-66 95-R0068092, D.R.D.C.T., and continuing along the south line of
 7-67 said Venable Exhibit "A-1" Seventh Tract and the north line of said
 7-68 Tract No. 2512E, for a total distance of 4768.62 feet to a 5/8 inch
 7-69 iron rod found for the northwest corner of said Tract No. 2512E,

8-1 said corner being in the east line of Tract No. 2512, conveyed to
8-2 the United States of America by deed recorded in County Clerk's File
8-3 No. 95-R0068092, D.R.D.C.T.;

8-4 THENCE North 14°20'32" East, along the east line of said Tract No.
8-5 2512, a distance of 116.96 feet to a 5/8 inch iron rod found for the
8-6 northeast corner of said Tract No. 2512;

8-7 THENCE South 89°21'47" West, along the north line of said Tract No.
8-8 2512, passing at a distance of 63.04 feet the northwest corner of
8-9 said Tract No. 2512 and a northeast corner of Tract No. 2510,
8-10 conveyed to the United States of America by deed recorded in County
8-11 Clerk's File No. 97-R0083048, D.R.D.C.T., and continuing along a
8-12 north line of said Tract No. 2510, for a total distance of 325.98
8-13 feet to a 5/8 inch iron rod found for an ell corner of said Tract No.
8-14 2510, said corner being in the west line of said Venable Exhibit
8-15 "A-1" Sixth Tract and the east line of a called 2.73 acre tract of
8-16 land conveyed to Venable Estate, LTD., by deed recorded in
8-17 Instrument No. 2005-43578, O.R.D.C.T.;

8-18 THENCE North 00°37'33" West, along the east lines of said Tract No.
8-19 2510 and said Venable Exhibit "A-4", 2.73 acre tract and the west
8-20 line of said Venable Exhibit "A-1" Sixth Tract, a distance of
8-21 2548.77 feet to a Corps. of Engineers concrete monument with brass
8-22 disk found for the northeast corners of said Tract No. 2510 and said
8-23 Venable Exhibit "A-4", 2.73 acre tract, the Northwest corner of
8-24 said Venable Exhibit "A-1" Sixth Tract, the southwest corner of
8-25 said Venable Exhibit "A-1" Fourth Tract, and the southeast corner
8-26 of a called 331.388 acre tract of land conveyed to Robert G. McGraw
8-27 and Helen McGraw, by deed recorded in County Clerk's File No.
8-28 97-R0089771, D.R.D.C.T.;

8-29 THENCE North 00°44'14" West, along the west line of said Venable
8-30 Exhibit "A-1" Fourth Tract and the east line of said 331.388 acre
8-31 tract, a distance of 750.63 feet to a Corps. of Engineers concrete
8-32 monument with brass disk found for the northwest corner of said
8-33 Venable Exhibit "A-1" Fourth Tract and a northeast corner of said
8-34 331.388 acre tract, being in the south line of a called 119.83 acre
8-35 tract of land conveyed to Helen McGraw, by deed recorded in Volume
8-36 4407, Page 1179, R.P.R.D.C.T.;

8-37 THENCE South 89°47'07" East, along the north lines of said Venable
8-38 Exhibit "A-1" Fourth Tract and Third Tract, and the south line of
8-39 said 119.83 acre tract, a distance of 1787.66 feet to a 1/2 inch
8-40 iron rod found for a southeast corner of said 119.83 acre tract and
8-41 the southwest corner of said Venable Parcel Two, 14.586 acre tract,
8-42 said corner being in the approximate centerline of McKinney Bridge
8-43 Road;

8-44 THENCE with the approximate centerline of McKinney Bridge Road, and
8-45 with the northwesterly line of said Venable Parcel Two, 14.586 acre
8-46 tract, and the southeasterly line of said 119.83 acre tract, the
8-47 following courses and distances:

8-48 North 67°10'55" East, a distance of 1377.39 feet to a 1/2 inch
8-49 iron rod found for corner;

8-50 North 36°16'40" East, a distance of 261.33 feet to a 1/2 inch
8-51 iron rod with yellow plastic cap stamped "THROUGH CAP" found for
8-52 corner;

8-53 North 49°01'29" East, passing at a distance of 270.75 feet a
8-54 1/2 inch iron rod found, and continuing for a total distance of
8-55 273.58 feet to the most northerly corner of said Venable Parcel Two,
8-56 14.586 acre tract, and the most easterly southeast corner of said
8-57 119.83 acre tract, said corner being in the west line of the
8-58 aforesaid Scenic Acres;

8-59 THENCE South 00°22'24" West, along the east line of said Venable
8-60 Parcel Two, 14.586 acre tract, and the west line of said Scenic
8-61 Acres, a distance of 714.48 feet to the northwest corner of Lot 17
8-62 of said Scenic Acres;

8-63 THENCE South 89°37'31" East, along the north line of said Lot 17, a
8-64 distance of 206.82 feet to the most northerly northeast corner of
8-65 said Lot 17, said corner being in a 60 foot radius cul-de-sac
8-66 right-of-way line of Scenic Drive and being at the beginning of a
8-67 non-tangent curve to the left;

8-68 THENCE, southeasterly along said cul-de-sac right-of-way line and
8-69 with said non-tangent curve to the left having a central angle of

9-1 165°08'50", a radius of 60.00 feet, a chord bearing of South
 9-2 82°18'25" East, a chord distance of 118.99 feet, passing at an arc
 9-3 length of 72.26 feet the most easterly northeast corner of said Lot
 9-4 17 and the most westerly northwest corner of Lot 16 of said Scenic
 9-5 Acres, and continuing for a total arc length of 172.94 feet to the
 9-6 most easterly northwest corner of said Lot 16, being in the south
 9-7 right-of-way line of Scenic Drive (a 60 foot wide right-of-way);
 9-8 THENCE North 74°55'19" East, along the south right-of-way line of
 9-9 said Scenic Drive, a distance of 18.10 feet to the northeast corner
 9-10 of said Lot 16;
 9-11 THENCE South 05°05'59" West, along the east line of said Lot 16, a
 9-12 distance of 422.16 feet to the southeast corner of said Lot 16, said
 9-13 corner being in the south line of said Scenic Acres and the north
 9-14 line of said Venable Exhibit "A-1" Third Tract;
 9-15 THENCE South 89°37'50" East, along the south line of said Scenic
 9-16 Acres and the north lines of said Venable Exhibit "A-1" Third Tract
 9-17 and Second Tract, a distance of 667.01 feet to a 1/2 inch iron rod
 9-18 found for the southeast corner of said Scenic Acres and the
 9-19 southwest corner of a called 39.04 acre tract of land conveyed to
 9-20 Pete Kenny, by deed recorded in Instrument No. 2010-28786,
 9-21 O.R.D.C.T.;
 9-22 THENCE North 89°55'56" East, along the north lines of said Venable
 9-23 Exhibit "A-1" Second Tract and Seventeenth Tract, and the south
 9-24 line of said 39.04 acre tract, a distance of 958.70 feet to a wood
 9-25 corner post found for the southeast corner of said 39.04 acre tract
 9-26 and an ell corner of said Venable Exhibit "A-1" Seventeenth Tract;
 9-27 THENCE North 00°47'57" West, along the east line of said 39.04 acre
 9-28 tract and the west lines of said Venable Exhibit "A-1" Seventeenth
 9-29 Tract and Venable Exhibit "A-7" First Tract, a distance of 1748.72
 9-30 feet to a 1/2 inch iron rod found for the northeast corner of said
 9-31 39.04 acre tract and the southeast corner of said Venable Parcel
 9-32 One, Tract I, 7.000 acre tract;
 9-33 THENCE South 89°17'34" West, along the south line of said Venable
 9-34 Parcel One, Tract I, and the north line of said 39.04 acre tract, a
 9-35 distance of 72.46 feet to a 1/2 inch iron rod found for the
 9-36 southwest corner of said Venable Parcel One, Tract I, and the
 9-37 southeast corner of a called 7.000 acre tract of land conveyed to
 9-38 Ronald G. Johnson and Wife, Hester L. Johnson, by deed recorded in
 9-39 Volume 1191, Page 694, D.R.D.C.T.;
 9-40 THENCE North 52°27'48" West, along the southwesterly line of said
 9-41 Venable Parcel One, Tract I and the northeasterly line of said
 9-42 Johnson 7.000 acre tract, a distance of 989.37 feet to the northwest
 9-43 corner of said Venable Parcel One, Tract I, the southwest corner of
 9-44 said Venable Parcel One, Tract II, 0.228 acre tract, the northeast
 9-45 corner of said Johnson 7.000 acre tract, and the southeast corner of
 9-46 a called 0.110 acre tract of land conveyed to Ronald G. Johnson et
 9-47 ux, Hester L. Johnson, by deed recorded in Volume 1197, Page 860,
 9-48 D.R.D.C.T.;
 9-49 THENCE North 04°02'10" West, along the west line of said Venable
 9-50 Parcel One, Tract II and the east line of said 0.110 acre tract, a
 9-51 distance of 104.40 feet to the northwest corner of said Venable
 9-52 Parcel One, Tract II and the northeast corner of said 0.110 acre
 9-53 tract, said point being in the approximate centerline of McKinney
 9-54 Bridge Road;
 9-55 THENCE with the approximate centerline of said McKinney Bridge
 9-56 Road, and along the northwesterly line of said Venable Parcel One,
 9-57 Tract II the following courses and distances:
 9-58 North 39°51'20" East, a distance of 56.10 feet to a point for
 9-59 corner;
 9-60 North 20°28'10" East, a distance of 132.92 feet to the
 9-61 northeast corner of said Venable Parcel One, Tract II, said corner
 9-62 being in the west line of a called 103.4117 acre tract of land
 9-63 conveyed to E E Ranches of Texas, Inc., by deed recorded in Volume
 9-64 2256, Page 840, R.P.R.D.C.T.;
 9-65 THENCE South 00°18'17" East, along the east line of said Venable
 9-66 Parcel One, Tract II and the west line of said 103.4117 acre tract,
 9-67 a distance of 266.23 feet to the southeast corner of said Venable
 9-68 Parcel One, Tract II and the most westerly southwest corner of said
 9-69 103.4117 acre tract, said point being in the north line of said

10-1 Venable Parcel One, Tract I;
 10-2 THENCE North 85°40'16" East, along the north line of said Venable
 10-3 Parcel One, Tract I and a south line of said 103.4117 acre tract, a
 10-4 distance of 774.60 feet to a concrete monument found for the
 10-5 northeast corner of said Venable Parcel One, Tract I and an ell
 10-6 corner of said 103.4117 acre tract;
 10-7 THENCE South 00°41'49" East, along the east line of said Venable
 10-8 Parcel One, Tract I and a west line of said 103.4117 acre tract, a
 10-9 distance of 427.62 feet to the northwest corner of said Venable
 10-10 Exhibit "A-7" First Tract and the most southerly southwest corner
 10-11 of said 103.4117 acre tract;
 10-12 THENCE North 89°37'44" East, along the north line of said Venable
 10-13 Exhibit "A-7" First Tract and the south line of said 103.4117 acre
 10-14 tract, passing at a distance of 25.00 a concrete monument found, and
 10-15 continuing for a total distance of 1995.90 feet to a concrete
 10-16 monument found for the northeast corner of said Venable Exhibit
 10-17 "A-7" First Tract and the southeast corner of said 103.4117 acre
 10-18 tract, said corner being in the west line of said Venable Exhibit
 10-19 "A-7" Second Tract;
 10-20 THENCE North 00°17'05" East, along the west line of said Venable
 10-21 Exhibit "A-7" Second Tract and the east line of said 103.4117 acre
 10-22 tract, a distance of 788.98 feet to a wood corner post found for the
 10-23 northwest corner of said Venable Exhibit "A-7" Second Tract and an
 10-24 ell corner of said 103.4117 acre tract;
 10-25 THENCE South 89°29'26" East, along the north line of said Venable
 10-26 Exhibit "A-7" Second Tract and a south line of said 103.4117 acre
 10-27 tract, passing at a distance of 99.73 feet a wood corner post found
 10-28 for the most easterly southeast corner of said 103.4117 acre tract
 10-29 and the southwest corner of a called 51.9010 acre tract of land
 10-30 conveyed to Helen K. McGraw, by deed recorded in County Clerk's File
 10-31 No. 94-R0085683, D.R.D.C.T., and continuing along said north line
 10-32 and the south line of said 51.9010 acre tract, for a total distance
 10-33 of 1357.89 feet to a 1/2 inch iron rod found for the northeast
 10-34 corner of said Venable Exhibit "A-7" Second Tract, the northwest
 10-35 corner of said Venable Exhibit "A-1" Ninth Tract, the southeast
 10-36 corner of said 51.9010 acre tract, and the southwest corner of Lot
 10-37 28 of Yellow Rose Estates Subdivision, an addition to Denton
 10-38 County, Texas according to the plat recorded in Cabinet L, Page 177,
 10-39 M.R.D.C.T.;
 10-40 THENCE South 88°46'23" East, along the north line of said Venable
 10-41 Exhibit "A-1" Ninth Tract and the south line of said Yellow Rose
 10-42 Estates Subdivision, a distance of 1323.42 feet to a 1/2 inch iron
 10-43 rod found for the northeast corner of said Venable Exhibit "A-1"
 10-44 Ninth Tract and the northwest corner of Lot 10 of St. John's Place,
 10-45 an addition to Denton County, Texas according to the plat recorded
 10-46 in Cabinet L, Page 119, M.R.D.C.T.;
 10-47 THENCE South 00°48'05" West, along the east line of said Venable
 10-48 Exhibit "A-1" Ninth Tract and the west line of said St. John's
 10-49 Place, a distance of 1315.38 feet to a 1/2 inch iron rod found for
 10-50 the southeast corner of said Venable Exhibit "A-1" Ninth Tract, the
 10-51 northeast corner of said Venable Exhibit "A-1" Tenth Tract, the
 10-52 northwest corner of said Venable Exhibit "A-1" Twenty-Fifth Tract,
 10-53 and the southwest corner of Lot 9 of said St. John's Place;
 10-54 THENCE South 88°50'34" East, along the north line of said Venable
 10-55 Exhibit "A-1" Twenty-Fifth Tract and the south line of said St.
 10-56 John's Place, a distance of 978.68 feet to metal corner post found
 10-57 for the southeast corner of Lot 8 of said St. John's Place, and the
 10-58 southwest corner of a called 129.223 acre tract of land conveyed to
 10-59 Texas Motor Speedway, Inc. d/b/a Texas International Raceways, by
 10-60 deed recorded in County Clerk's File No. 96-R0079309, D.R.D.C.T.;
 10-61 THENCE South 88°46'04" East, along the north lines of said Venable
 10-62 Exhibit "A-1" Twenty-Fifth Tract and Twenty-Sixth Tract and the
 10-63 south line of said 129.223 acre tract, a distance of 1653.96 feet to
 10-64 a metal corner post found for the northeast corner of said Venable
 10-65 Exhibit "A-1" Twenty-Sixth Tract and the southeast corner of said
 10-66 129.223 acre tract, said corner being in the west line of a called
 10-67 71.114 acre tract of land, File No. F0072.00, conveyed to The Rudman
 10-68 Partnership, by deed recorded in Volume 2844, Page 42,
 10-69 R.P.R.D.C.T.;

11-1 THENCE South 01°46'53" West, along the east line of said Venable
 11-2 Exhibit "A-1" Twenty-Sixth Tract and the west line of said 71.114
 11-3 acre tract, passing at a distance of 789.91 feet a 1/2 inch iron rod
 11-4 found for the southwest corner of said 71.114 acre tract and the
 11-5 northwest corner of a called 61.36 acre tract of land conveyed to
 11-6 Michelle Lynette Roberts, by deed recorded in Instrument No.
 11-7 2008-40245, O.R.D.C.T., and continuing along said east line and the
 11-8 west line of said 61.36 acre tract, for a total distance of 1296.74
 11-9 feet to a wood corner post found for the southeast corner of said
 11-10 Venable Exhibit "A-1" Twenty-Sixth Tract and the most westerly
 11-11 southwest corner of said 61.36 acre tract, said corner being in the
 11-12 north line of said Venable Exhibit "A-2" Third Tract;
 11-13 THENCE along the north line of said Venable Exhibit "A-2" Third
 11-14 Tract and the south line of said 61.36 acre tract, the following
 11-15 courses and distances:

11-16 North 89°02'25" East, a distance of 1193.53 feet to a wood
 11-17 corner post found for corner;

11-18 South 03°32'32" West, a distance of 565.50 feet to a wood
 11-19 corner post found for corner;

11-20 South 85°40'05" East, passing at a distance of 1460.68 feet a
 11-21 wood corner post found for the most northerly northeast corner of
 11-22 said Venable Exhibit "A-2" Third Tract, the northwest corner of
 11-23 said Venable Exhibit "A-3", 24 acre tract, the most southerly
 11-24 southeast corner of said 61.36 acre tract, and the most westerly
 11-25 southwest corner of a called 18.78 acre tract of land conveyed to
 11-26 Zandra Bean, by deed recorded in Volume 4229, Page 2901,
 11-27 R.P.R.D.C.T., and continuing along the south line of said 18.78
 11-28 acre tract for a total distance of 1552.99 feet to a wood corner
 11-29 post found for and ell corner of said 18.78 acre tract;

11-30 THENCE South 02°38'27" West, along a west line of said 18.78 acre
 11-31 tract, a distance of 210.21 feet to a wood corner post found for the
 11-32 most southerly southwest corner of said 18.78 acre tract;

11-33 THENCE South 87°34'17" East, along the south line of said 18.78 acre
 11-34 tract, a distance of 925.13 feet to a 5/8 inch iron rod found for the
 11-35 southeast corner of said 18.78 acre tract, said corner being in the
 11-36 west line of said Venable 10.69 acre tract, and being in the
 11-37 approximate centerline of Massey Road;

11-38 THENCE North 04°51'52" East, with the approximate centerline of said
 11-39 Massey Road, and along the west line of said Venable 10.69 acre
 11-40 tract and east line of said 18.78 acre tract, a distance of 228.51
 11-41 feet to the northwest corner of said Venable 10.69 acre tract, from
 11-42 which a 1/2 inch iron rod found bears North 87°55'27" West a distance
 11-43 of 6.38 feet;

11-44 THENCE South 87°55'27" East, along the north line of said Venable
 11-45 10.69 acre tract, passing at a distance of 24.76 feet a 1/2 inch
 11-46 iron rod found in the east line of said Massey Road, and continuing
 11-47 for a total distance of 526.66 feet to the POINT OF BEGINNING and
 11-48 containing 2521.094 acres or 109,818,863 square feet of land, more
 11-49 or less.

11-50 SAVE AND EXCEPT THE FOLLOWING TRACTS A, B, and C:

11-51 TRACT A

11-52 Being a tract of land situated in the J. Moses Survey, Abstract No.
 11-53 894 and the N. McMillan Survey, Abstract No. 841, Denton County,
 11-54 Texas, and consisting of the following; those tracts of land
 11-55 conveyed to Patricia Ann Harmon Brockett, a 105 foot by 210 foot
 11-56 tract, called Tract 1, a called 27.20 acre tract, called Tract 2,
 11-57 and a called 26.23 acre tract, called Tract 3, by deed recorded in
 11-58 Instrument No. 2011-9037, O.R.D.C.T.; a called 27.20 acre tract of
 11-59 land conveyed to Willie Pearlene Harmon Johnson by deed recorded in
 11-60 Volume 5033, Page 3166, R.P.R.D.C.T.; a called 0.5 acre tract of
 11-61 land conveyed to J. R. Johnson and wife, Pearlene Johnson by deed
 11-62 recorded in Volume 400, Page 32, D.R.D.C.T.; a called 1.000 acre
 11-63 tract of land conveyed to Pearlene Johnson, et ux by deed recorded
 11-64 in Volume 794, Page 219, D.R.D.C.T.; a called 1.001 acre tract of
 11-65 land conveyed in deed to J.S. Dubose and/or Lee J. Brookshire, Jr.,
 11-66 Trustees, by deed recorded in Volume 2015, Page 147, R.P.R.D.C.T.;
 11-67 a called 3.046 acre tract of land conveyed to Tracy Glenn Henderson
 11-68 and Linda Gail Henderson by deed recorded in Volume 4897, Page 3357,
 11-69 R.P.R.D.C.T.; a called 1.001 acre tract of land conveyed to Michael

12-1 J. Behrend by deed recorded in Volume 3016, Page 596, R.P.R.D.C.T.;
 12-2 a called 5.061 acre tract of land conveyed to Michael Jon Behrend by
 12-3 deed recorded in County Clerk's File No. 94-R0003414, D.R.D.C.T.; a
 12-4 called 1.000 acre tract of land conveyed to Brad Hines and Margaret
 12-5 Hines by deed recorded in Volume 4991, Page 695, R.P.R.D.C.T.; the
 12-6 remainder of a called 29.553 acre tract of land conveyed to L.Z.
 12-7 Harmon, Sr., by deed recorded in Volume 5033, Page 3143,
 12-8 R.P.R.D.C.T.; a called 2.116 acre tract of land conveyed to Wade
 12-9 Franklin Lewis and Harry Lou Lewis, husband and wife, by deed
 12-10 recorded in County Clerk's File No. 94-R008814, D.R.D.C.T.; a
 12-11 called 1.000 acre tract of land, called Tract 1 and a called 1.00
 12-12 acre tract of land, called Tract 2, conveyed to Brad Hines and Wife,
 12-13 Margaret Hines, by deed recorded in Volume 4401, Page 1042,
 12-14 R.P.R.D.C.T.; a called 1.000 acre tract of land conveyed to Hugo E.
 12-15 Richter, Jr. and Wife, Jolene J., by deed recorded in Volume 733,
 12-16 Page 574, D.R.D.C.T.; a called 1.01 acre tract of land conveyed to
 12-17 Carol Puckett by deed recorded in Instrument No. 2007-96075,
 12-18 R.P.R.D.C.T.; a called 0.724 acre tract of land conveyed to Marcus
 12-19 Wayne Pierce, et ux, by deed recorded in Instrument No.
 12-20 2004-104661, O.R.D.C.T.; a tract of land conveyed to Kenneth W.
 12-21 Wilson and Wife, Carolyn Wilson by deed recorded in Volume 4873,
 12-22 Page 2682, R.P.R.D.C.T.; a called 3.00 acre tract of land conveyed
 12-23 to George Wayne Pierce and Wife, Sue Pierce by deed recorded in
 12-24 Volume 719, Page 602, D.R.D.C.T.; a called 1.269 acre tract of land
 12-25 conveyed to Kenneth W. Wilson and Wife, Carolyn Wilson by deed
 12-26 recorded in Document No. 2011-95837, O.R.D.C.T.; and a called 0.254
 12-27 acre tract of land conveyed to Black Rock Water Supply Corporation
 12-28 by deed recorded in Volume 1788, Page 989, R.P.R.D.C.T., and being
 12-29 more particularly described as follows:
 12-30 BEGINNING at a 1/2 inch iron rod with yellow plastic cap stamped "H
 12-31 & N 1849" found for the northwest corner of said 27.20 acre Patricia
 12-32 Ann Harmon Brockett tract, called Tract 2, and the southwest corner
 12-33 of the above mentioned 27.20 acre tract of land conveyed to Venable
 12-34 Roaylty, Ltd., by deed recorded in Volume 5076, Page 822,
 12-35 R.P.R.D.C.T. and to Venable Estate, Ltd., by deed recorded in
 12-36 Instrument No. 2004-101157, O.R.D.C.T., said corner being in the
 12-37 east line of the above mentioned Venable Exhibit "A-1"
 12-38 Twenty-First Tract;
 12-39 THENCE North 89°20'09" East, a distance of 1045.44 feet to a 1/2 inch
 12-40 iron rod with yellow plastic cap stamped "H & N 1849" found for the
 12-41 southeast corner of said Venable 27.20 acre tract, said corner
 12-42 being in the west line of said 26.23 acre Patricia Ann Harmon
 12-43 Brockett tract, called Tract 3;
 12-44 THENCE North 0°38'15" West, along the east line of said Venable
 12-45 27.20 acre tract and the west line of said 26.23 acre tract, a
 12-46 distance of 1112.40 feet to the northeast corner of said Venable
 12-47 27.20 acre tract and northwest corner of said 26.23 acre tract, said
 12-48 corner being in the south line of the above mentioned Venable
 12-49 Exhibit "A-8", 54.089 acre tract, being the same as the above
 12-50 mentioned Venable 54.08 acre tract recorded in Volume 4867, Page
 12-51 3255, R.P.R.D.C.T.;
 12-52 THENCE South 88°18'52" East, along the south line of said Venable
 12-53 Exhibit "A-8", 54.089 acre tract and the north line of said 26.23
 12-54 acre tract, a distance of 907.17 feet to the southeast corner of
 12-55 said Venable Exhibit "A-8", 54.089 acre tract and the northeast
 12-56 corner of said 26.23 acre tract, said corner being in the west line
 12-57 of the above mentioned Venable Exhibit "A-2" Second Tract;
 12-58 THENCE South 0°33'39" West, along the west line of said Venable
 12-59 Exhibit "A-2" Second Tract and the east line of said 26.23 acre
 12-60 tract, a distance of 1151.30 feet to a wood corner post found for
 12-61 the southwest corner of said Venable Exhibit "A-2" Second Tract and
 12-62 the northwest corner of said Harmon 29.553 acre tract;
 12-63 THENCE South 88°23'05" East, along the south line of said Venable
 12-64 Exhibit "A-2" Second Tract and the north line of said 29.553 acre
 12-65 tract, a distance of 555.23 feet to a 1/2 inch iron rod found for the
 12-66 most westerly northeast corner of said 29.553 acre tract and the
 12-67 northwest corner of said Pierce 3.00 acre tract;
 12-68 THENCE South 88°18'08" East, continuing along the south line of said
 12-69 Venable Exhibit "A-2" Second Tract and the north line of said Pierce

13-1 3.00 acre tract, a distance of 626.29 feet to a 1/2 inch iron rod
13-2 found for the northeast corner of said Pierce 3.00 acre tract and
13-3 the northwest corner of said Wilson 1.269 acre tract;
13-4 THENCE South 88°04'56" East, continuing along the south line of said
13-5 Venable Exhibit "A-2" Second Tract and the north lines of said
13-6 Wilson 1.269 acre tract and said Black Rock Water Supply
13-7 Corporation 0.254 acre tract, a distance of 365.79 feet to a wood
13-8 corner post found for the northeast corner of said Black Rock Water
13-9 Supply Corporation 0.254 acre tract and the northwest corner of the
13-10 above mentioned Venable Exhibit "A-6" 70 acre tract;
13-11 THENCE South 01°20'17" West, along the west line of said Venable
13-12 Exhibit "A-6" 70 acre tract and the east lines of said Black Rock
13-13 Water Supply Corporation 0.254 acre tract, said Harmon 29.553 acre
13-14 tract, and said Pierce 0.724 acre tract, passing at a distance of
13-15 1388.97 feet a 1/2 inch iron rod found in the north line of Richter
13-16 Road for the southeast corner of said Pierce 0.724 acre tract, and
13-17 continuing along said west line for a total distance of 1413.97 feet
13-18 to the southwest corner of said Venable Exhibit "A-6" 70 acre tract,
13-19 said corner being in the north line of the above mentioned Venable
13-20 Exhibit "A-1" Twenty-Fourth Tract;
13-21 THENCE North 88°16'47" West, along the north line of said Venable
13-22 Exhibit "A-1" Twenty-Fourth Tract, a distance of 1403.72 feet to
13-23 the most southerly southeast corner of said Lewis 2.116 acre tract,
13-24 from which a 1/2 inch iron rod found in the north line of Richter
13-25 Road bears North 00°28'03" East a distance of 25.01 feet;
13-26 THENCE North 88°01'16" West, continuing along the north line of said
13-27 Venable Exhibit "A-1" Twenty-Fourth Tract and the south lines of
13-28 said Lewis 2.116 acre tract, said Johnson 0.5 acre tract, and said
13-29 Johnson 27.20 acre tract, a distance of 2024.03 feet to a wood
13-30 corner post found for the southwest corner of said Johnson 27.20
13-31 acre tract, the northwest corner of said Venable Exhibit "A-1"
13-32 Twenty-Fourth Tract, the northeast corner of the above mentioned
13-33 Venable Exhibit "A-1" Eighth Tract, and the southeast corner of
13-34 said Venable Exhibit "A-1" Twenty-First Tract;
13-35 THENCE North 00°39'41" West, along the east line of said Venable
13-36 Exhibit "A-1" Twenty-First Tract and the west lines of said Johnson
13-37 27.20 acre tract and said 27.20 acre Patricia Ann Harmon Brockett
13-38 tract, a distance of 1401.57 feet to the POINT OF BEGINNING and
13-39 containing 135.931 acres or 5,921,167 square feet of land, more or
13-40 less.
13-41 TRACT B
13-42 Being a tract of land situated in the George Smith Survey, Abstract
13-43 No. 1219, Denton County, Texas, and being described as a 210 foot by
13-44 210 foot tract of land conveyed to Faith Assembly Church by deed
13-45 recorded in Instrument No. 2004-26872, O.R.D.C.T., and being more
13-46 particularly described as follows:
13-47 BEGINNING at the northeast corner of said Church tract, from which a
13-48 wood corner post found bears South 89°52'15" East a distance of
13-49 130.00 feet;
13-50 THENCE South 00°07'45" West, along the east line of said Church
13-51 tract, passing at a distance of 203.40 feet a wood corner post found
13-52 in the north line of Black Jack Road, and continuing along said east
13-53 line for a total distance of 210.00 feet to the southeast corner of
13-54 said Church tract;
13-55 THENCE North 89°52'15" West, along the south line of said Church
13-56 tract, a distance of 210.00 feet to the southwest corner of said
13-57 Church tract, said corner being in the approximate centerline of
13-58 Harmon Road;
13-59 THENCE North 00°07'45" East, with the approximate centerline of
13-60 Harmon Road and along the west line of said Church tract, a distance
13-61 of 210.00 feet to the northwest corner of said Church tract;
13-62 THENCE South 89°52'15" East, along the north line of said Church
13-63 tract, a distance of 210.00 feet to the POINT OF BEGINNING and
13-64 containing 1.012 acres or 44,100 square feet of land, more or less.
13-65 TRACT C
13-66 Being a tract of land situated in the J. Moses Survey, Abstract No.
13-67 894, Denton County, Texas, and being all of a called 2 acre tract of
13-68 land, conveyed to Trustees of Wilson Cemetery by deed recorded in
13-69 Volume 57, Page 402, D.R.D.C.T., and being more particularly

14-1 described as follows:
 14-2 BEGINNING at a chain link fence corner post found for the northwest
 14-3 corner of said Cemetery tract and the southwest corner of the above
 14-4 mentioned Venable Exhibit "A-1" Twenty-Second Tract, said corner
 14-5 being in the east line of the above mentioned Venable Exhibit "A-1"
 14-6 Fourteenth Tract;
 14-7 THENCE North 89°39'39" East, along the north line of said Cemetery
 14-8 tract and the south line of said Venable Exhibit "A-1"
 14-9 Twenty-Second Tract; passing at a distance of 288.86 feet a chain
 14-10 link fence corner post found and continuing for a total distance of
 14-11 305.55 feet to the northeast corner of said Cemetery tract, the
 14-12 southwest corner of the above mentioned Venable Exhibit "A-1"
 14-13 Twenty-First Tract, and the northwest corner of the above mentioned
 14-14 Exhibit "A-1" Eighth Tract;
 14-15 THENCE South 00°20'21" East, along the east line of said Cemetery
 14-16 tract and the west line of said Venable Exhibit "A-1" Eighth Tract,
 14-17 a distance of 285.28 feet to the southeast corner of said Cemetery
 14-18 tract and the most easterly northeast corner of said Venable
 14-19 Exhibit "A-1" Fourteenth Tract;
 14-20 THENCE South 89°39'39" West, along the south line of said Cemetery
 14-21 tract and a north line of said Venable Exhibit "A-1" Fourteenth
 14-22 Tract; a distance of 305.55 feet to the southwest corner of said
 14-23 Cemetery tract and an ell corner of said Venable Exhibit "A-1"
 14-24 Fourteenth Tract, from which a chain link fence corner post found
 14-25 bears North 30°04'24" East a distance of 9.80 feet;
 14-26 THENCE North 00°20'21" West, along the west line of said Cemetery
 14-27 tract and the east line of said Venable Exhibit "A-1" Fourteenth
 14-28 Tract, a distance of 285.28 feet to the POINT OF BEGINNING and
 14-29 containing 2.001 acres or 87,168 square feet of land, more or less.
 14-30

14-31
 14-32 VENABLE PROPERTY DESCRIPTION
 14-33 TRACT 2
 14-34 Being a tract of land situated in the T. Chambers Survey, Abstract
 14-35 No. 223, Denton County, Texas, and being all the following tracts of
 14-36 land conveyed to Venable Royalty, Ltd.; a called 4.37 acre tract of
 14-37 land by deed recorded in Instrument No. 2003-193459 of the Official
 14-38 Records of Denton County, Texas, and all of a called 4.35 acre tract
 14-39 of land by deed recorded in Volume 4952, Page 1406 of the Real
 14-40 Property Records of Denton County, Texas, and being more
 14-41 particularly described as follows:
 14-42 BEGINNING at a wood corner post found for the northwest corner of
 14-43 said 4.35 acre tract and the southwest corner of a called 2.726 acre
 14-44 tract of land conveyed to Dennard's Farm Supply Incorporated by
 14-45 deed recorded in Instrument No. 2009-52074 of the Official Records
 14-46 of Denton County, Texas, said corner being in the east line of the
 14-47 Texas and Pacific Railway Company right-of-way (80 foot wide
 14-48 right-of-way);
 14-49 THENCE South 87°59'39" East, along the north line of said 4.35 acre
 14-50 tract and the south line of said 2.726 acre tract, a distance of
 14-51 307.30 feet to the northeast corner of said 4.35 acre tract and the
 14-52 southeast corner of said 2.726 acre tract, said corner being in the
 14-53 west right-of-way line of State Highway 377 (a 120 foot wide
 14-54 right-of-way), from which a metal corner post found bears North
 14-55 87°59'39" West a distance of 1.44 feet, said point also being at the
 14-56 beginning of a non-tangent curve to the right;
 14-57 THENCE along the west right-of-way line of State Highway 377, the
 14-58 following courses and distances:
 14-59 Southwesterly, along said non-tangent curve to the right
 14-60 having a central angle of 02°03'24", a radius of 5669.58 feet, a
 14-61 chord bearing of South 03°44'56" West, a chord distance of 203.52
 14-62 feet, passing at an arc length of 203.12 feet a wood highway marker
 14-63 found for the southeast corner of said 4.35 acre tract and being at
 14-64 the intersection of the west right-of-way line of State Highway 377
 14-65 with the northwesterly right-of-way line of Farm to Market 3524 (a
 14-66 80 foot wide right-of-way), and continuing for a total an arc length
 14-67 of 203.53 feet to the end of said curve;
 14-68 South 04°46'38" West, passing at a distance of 570.19 feet the
 14-69 northeast corner of said 4.37 acre tract, from which a 60d nail

15-1 found bears South 85°13'22" East a distance of 1.33 feet, and
15-2 continuing for a total distance of 1120.24 feet to the southeast
15-3 corner of said 4.37 acre tract, from which a 1/2 inch iron rod found
15-4 bears North 88°16'01" West a distance of 1.06 feet;
15-5 THENCE North 88°16'01" West, along the south line of said 4.37 acre
15-6 tract, a distance of 387.22 feet to the southwest corner of said
15-7 4.37 acre tract, said corner being in the east line of said Texas
15-8 and Pacific Railway Company right-of-way, from which a 1/2 inch
15-9 iron rod found bears North 88°16'01" West a distance of 1.30 feet,
15-10 said point also being at the beginning of a non-tangent curve to the
15-11 left;

15-12 THENCE along the west lines of said 4.35 acre tract and said 4.37
15-13 acre tract and the east line of said Texas and Pacific Railway
15-14 Company right-of-way, the following courses and distances:

15-15 Northeastly along said non-tangent curve to the left having
15-16 a central angle of 03°06'33", a radius of 5779.58 feet, a chord
15-17 bearing of North 09°14'29" East, a chord distance of 313.59 feet,
15-18 and an arc length of 313.63 feet to the end of said curve;

15-19 North 07°41'12" East, passing at a distance of 91.78 feet the
15-20 northwest corner of said 4.37 acre tract in the southeasterly line
15-21 of said Farm to Market 3524, and passing at a distance of 204.92
15-22 feet a 1/2 inch iron rod with red plastic cap stamped "ALLIANCE"
15-23 found for the most southerly corner of said 4.35 acre tract in the
15-24 northwesterly right-of-way line of said Farm to Market 3524, and
15-25 continuing for a total distance of 1018.10 feet to the POINT OF
15-26 BEGINNING and containing 10.487 acres or 456,819 square feet of
15-27 land, more or less.

15-28 This document was prepared under 22 TAC §663.21, does not reflect
15-29 the results of an on the ground survey, and is not to be used to
15-30 convey or establish interests in real property except those rights
15-31 and interests implied or established by the creation or
15-32 reconfiguration of the boundary of the political subdivision for
15-33 which it was prepared.

15-34 SECTION 3. (a) The legal notice of the intention to
15-35 introduce this Act, setting forth the general substance of this
15-36 Act, has been published as provided by law, and the notice and a
15-37 copy of this Act have been furnished to all persons, agencies,
15-38 officials, or entities to which they are required to be furnished
15-39 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
15-40 Government Code.

15-41 (b) The governor, one of the required recipients, has
15-42 submitted the notice and Act to the Texas Commission on
15-43 Environmental Quality.

15-44 (c) The Texas Commission on Environmental Quality has filed
15-45 its recommendations relating to this Act with the governor, the
15-46 lieutenant governor, and the speaker of the house of
15-47 representatives within the required time.

15-48 (d) All requirements of the constitution and laws of this
15-49 state and the rules and procedures of the legislature with respect
15-50 to the notice, introduction, and passage of this Act are fulfilled
15-51 and accomplished.

15-52 SECTION 4. (a) If this Act does not receive a two-thirds
15-53 vote of all the members elected to each house, Subchapter C, Chapter
15-54 8469, Special District Local Laws Code, as added by Section 1 of
15-55 this Act, is amended by adding Section 8469.109 to read as follows:

15-56 Sec. 8469.109. NO EMINENT DOMAIN POWER. The district may
15-57 not exercise the power of eminent domain.

15-58 (b) This section is not intended to be an expression of a
15-59 legislative interpretation of the requirements of Subsection (c),
15-60 Section 17, Article I, Texas Constitution.

15-61 SECTION 5. This Act takes effect September 1, 2013.

15-62 * * * * *